

REMARKS

I. Introduction

Claims 15 to 28 are pending in the present application. In view of the foregoing amendments and following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the indication that all copies of the certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

II. Rejection of Claims 15, 16, 18, 22 and 25 Under 35 U.S.C. § 102(b)

Claims 15, 16, 18, 22 and 25 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,365,218 ("Otto"). Applicants respectfully submit that Otto does not anticipate claims 15, 16, 18, 22 and 25 for the following reasons.

Otto purportedly relates to a system for guarding property including a mobile laser unit. A laser device 11 is stated to be mounted on platform 10 in such fashion that it can assume various angular positions so that areas swept by the laser can be varied in terms of its distance from the property 22. See col. 2, lines 28 to 32. The laser power is stated to be adjustable in energy and intensity. See col. 2, lines 39 to 40. Respectfully, just because a laser power supply is adjustable in energy and intensity (see col. 2, lines 39 to 40) does not mean that the power supply is configured to vary a power of a laser beam **as a function of a beam direction**, as recited in claim 15, or that a power of a laser beam is varied **as a function of a beam direction**, as recited in claim 22. Therefore, Otto does not disclose all of the limitations of the claims 15 and 22.

To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566

(Fed. Cir. 1990). As more fully set forth above, Otto does not disclose, or even suggest, a power supply configured to vary power of a laser beam as a function of a beam direction, as recited in claim 15, or the step of varying a power of at least one laser beam as a function of a beam direction, as recited in claim 22.

Therefore, Otto does not anticipate claims 15 and 22.

As for claims 16 and 18, which depend from claim 15 and therefore include all of the limitations of claim 15, it is respectfully submitted that Otto does not anticipate these dependent claims for at least the same reasons given above in support of the patentability of claim 15.

As for claim 25, which depends from claim 22 and therefore includes all of the limitations of claim 22, it is respectfully submitted that Otto does not anticipate this dependent claim for at least the same reasons given above in support of the patentability of claim 22.

Applicants respectfully submit that following additional reasons in support of the patentability of claims 18 and 25. Nowhere does Otto disclose, or even suggest, a characteristic curve of a laser beam power is continuously variable, as recited in claim 18, or the step of continuously varying a beam power characteristic of at least one laser beam, as recited in claim 25. Therefore, it is respectfully submitted that claims 18 and 25 are allowable for at least these additional reasons.

In view of the foregoing, withdrawal of the present rejection is respectfully requested.

III. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter contained in claims 17, 19 to 21, 23, 24 and 28. Applicants further note that claims 26 and 27 have not been rejected, and thus, are believed to include allowable subject matter. Clarification, however, is respectfully requested.

The Examiner will note that each of claims 17, 19 to 21, 23, 26 to 28 has been rewritten herein in independent form to include all of the limitations of its respective base claim and any intervening claims. The Examiner will further note that claim 24 depends from amended claim 23. It is therefore respectfully submitted that claims 17, 19 to 21, 23, 24, 26 to 28 are in condition for immediate allowance.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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